

GIBSON, DUNN & CRUTCHER LLP  
 MARK A. PERRY (*pro hac vice*)  
 1050 Connecticut Avenue, N.W.  
 Washington, DC 11101  
 Telephone: 202.955.8500  
 mperry@gibsondunn.com

RIMINI STREET, INC.  
 DANIEL B. WINSLOW (*pro hac vice*)  
 6601 Koll Center Parkway, Suite 300  
 Pleasanton, CA 94566  
 Telephone: (925) 264-7736  
 dwinslow@riministreet.com

GIBSON, DUNN & CRUTCHER LLP  
 JEFFREY T. THOMAS (*pro hac vice*)  
 BLAINE H. EVANSON (*pro hac vice*)  
 JOSEPH A. GORMAN (*pro hac vice*)  
 CASEY J. MCCracken (*pro hac vice*)  
 3161 Michelson Drive  
 Irvine, CA 92612-4412  
 Telephone: 949.451.3800  
 jtthomas@gibsondunn.com  
 bevanson@gibsondunn.com  
 jgorman@gibsondunn.com  
 cmccracken@gibsondunn.com

RIMINI STREET, INC.  
 JOHN P. REILLY (*pro hac vice*)  
 3993 Howard Hughes Parkway, Suite 500  
 Las Vegas, NV 89169  
 Telephone: (336) 908-6961  
 jreilly@riministreet.com

HOWARD & HOWARD ATTORNEYS PLLC  
 W. WEST ALLEN (Nevada Bar No. 5566)  
 3800 Howard Hughes Parkway, Suite 1000  
 Las Vegas, NV 89169  
 Telephone: (702) 667-4843  
 wwa@h2law.com

GIBSON, DUNN & CRUTCHER LLP  
 SAMUEL LIVERSIDGE (*pro hac vice*)  
 ERIC D. VANDEVELDE (*pro hac vice*)  
 333 South Grand Avenue  
 Los Angeles, CA 90071-3197  
 Telephone: 213.229.7000  
 sliversidge@gibsondunn.com  
 evandeveld@ibsondunn.com

*Attorneys for Defendant  
 Rimini Street, Inc.*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

ORACLE USA, INC., et al.,

Plaintiffs,

v.

RIMINI STREET, INC., et al.,

Defendants.

Case No. 2:10-cv-00106-LRH-VCF

**DECLARATION OF ERIC D.  
 VANDEVELDE IN SUPPORT OF  
 RIMINI'S OPPOSITION TO  
 ORACLE'S MOTION FOR LEAVE  
 TO FILE ADDITIONAL PAGES**

1 I, Eric D. Vandavelde, declare as follows:

2 1. I am an attorney admitted pro hac vice to practice before this Court. I am a  
3 partner at the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys  
4 representing Defendant Rimini Street, Inc. (“Rimini”) in the above-captioned case. I submit  
5 this declaration in support of Rimini’s Opposition to Oracle’s Motion for Leave to File  
6 Additional Pages. The facts stated in this declaration are based on my personal knowledge, and  
7 if called upon as a witness I would and could testify competently to them.

8 2. Oracle filed five summary judgment motions in October 2018 and five replies  
9 supporting those motions in December 2018. Those filings totaled more than 200 pages, and  
10 over 6,000 pages of exhibits were attached.

11 3. Oracle attached “Statements of Disputed Facts” as exhibits to its oppositions to  
12 Rimini’s summary judgment motions, and “Statements of Undisputed Facts” as exhibits to its  
13 replies in support of its own summary judgment motions. These Statements of Undisputed and  
14 Disputed Facts totaled more than 150 pages.

15 4. Attached as **Exhibit A** is a true and correct copy of emails dated March 11, 2020,  
16 from David R. Kocan, counsel for Oracle, to me and others.

17 5. Attached as **Exhibit B** is a true and correct copy of an email dated March 20,  
18 2020, from Casey J. McCracken, counsel for Rimini, to Jacob J.O. Minne, counsel for Oracle,  
19 and others.

20 6. Attached as **Exhibit C** is a true and correct copy of an excerpt of the Rebuttal  
21 Expert Report of Professor Owen Astrachan, dated March 13, 2020.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

7. On April 20, 2020, John Polito, counsel for Oracle, sent Rimini a letter threatening to file a Rule 11 sanctions motion against Rimini and Gibson, Dunn & Crutcher, LLP unless Rimini withdrew its Motion to Enforce the Court’s Orders and Judgment Separating *Rimini I* from *Rimini II* (ECF No. 1323).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this declaration on April 29, 2020, at Los Angeles, California.

---

/s/ *Eric D. Vandavelde*

---

Eric D. Vandevælde

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I caused to be electronically uploaded a true and correct copy in Adobe “pdf” format of the above document to the United States District Court’s Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon transmission of the Notice of Electronic Filing (“NEF”) to the registered CM/ECF users. All counsel of record are registered users.

DATED: April 29, 2020

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Eric D. Vandavelde  
Eric D. Vandavelde

*Attorneys for Defendant  
Rimini Street, Inc.*